

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Monday, November 19, 2007 at 9:00 a.m. in Committee Room #2, City Hall South, 2<sup>nd</sup> Floor.

<b>Present:</b>	Councilmember Howard Shook, Chair	Janice D. Davis, CFO
	Councilmember Felicia A. Moore	Departmental Staff
	Councilmember Clair Muller	
	Councilmember Kwanza Hall	
	Councilmember Jim Maddox	
	Councilmember Cleta Winslow	

Chairperson Shook called the meeting to order at 9:10 a.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Felicia A. Moore, Clair Muller, Kwanza Hall, Jim Maddox and Cleta Winslow. Other Departmental staff was present as well.

The Agenda was adopted as printed. Minutes of the October 31, 2007 Regular Finance/Executive Committee were adopted. He then stated that we were supposed to meet on Wednesday, November 14<sup>th</sup> but many Councilmembers attended the National League of Cities.

**Senator Vincent Fort:** addressed the Committee by stating that he wanted to apprise the Council of legislation regarding the State Authority redevelopment of Ft. McPherson that he was concerned about. How can they introduce legislation without the people who represent the District? This is the same Administration that took \$14 million dollars from that area to build a science building for the children. He would be more comfortable with Atlanta City Council making sure that the redevelopment happens the correct way. He is comfortable with it being done on the Council's level. The scope of the legislation is dramatic. He will devote a lot of his time and attention to this. There are Citywide implications. When Representative Bob Holmes, Chair of the House Delegation found out what was going on he backed away from the legislation and wrote a letter to the State Administration. Councilmember Moore asked what was the Administration's response?

**Mr. Greg Pridgeon:** Mayor's Office Chief of Staff addressed the Committee by stating that there were some issues and concerns from the Administration. The legislation is still in the breast of the General Assembly. The existing LRA is a planning group. There will still need to be intervention. The zoning issues must be brought back up

before anything can happen on the property. There were concerns with the Appointments. There is no formal position from the Administration. There are meetings proposed with the Senate. Senator Fort stated that he wanted Council to be aware of what was going on. We have an Atlanta Development Authority to handle these kind of things. This development has grown over the years. Why can't ADA do it instead of the Governor's Office? He is not confident with the people at the State. His first priorities are the people who live there. Chairperson Shook stated that it sounds as if the tension has slowed down. Senator Fort responded that the first discussion happened in 2001 or 2002. It is one of the bases designated for closing Fort McPherson. He has had one meeting with the Governor. His comfort level is very low and he needs the help from this Council. Mr. Pridgeon added that the LRA has been functional for some time. There have been meetings and Councilmember Sheperd is aware of what has incurred. There has been significant input over the last year and a half. We will bring forth our perspective on this matter. If this happens, it will be around 2011 and the Army will have to move its operation to another location. Councilmember Maddox asked who introduced the legislation. Senator Fort responded that Representative Holmes. His constituents want to be involved. Councilmember Maddox stated that we had extension public input doing the entire process. He is not sure if the meetings were opened to the public. Senator Fort responded that he is talking about a piece of legislation introduced last year where the Council or Fulton County was not aware of it. Governor Purdue Administration brought the legislation to Representative Holmes. The legislation is now on Hold. Councilmember Maddox stated that anyone who had an interest in the project had an input. He then asked for a copy of the legislation along with the letter from Representative Bob Holmes. Councilmember Sheperd stated that the legislation introduced is being Held. We have finished the City's portion. We all have concerns regarding it. The project is still active. We will be addressing the issue again next year.

### **CONSENT AGENDA**

#### **TO ANTICIPATE AND APPROPRIATE BOND PROCEEDS IN THE AMOUNT OF \$87,433,865.65**

- 07-O-2389 (1)      An Ordinance by Finance/Executive Committee to Anticipate and Appropriate Bond Proceeds in the amount of \$87,433,865.65 from the Atlantic Station Tax Allocation District Refunding Bond Series 2007; and Amend the 2008 Budget, in an amount of \$7,600,843.75, by Transferring Funds from 1B08 (Atlantic Station TAD Fund) 792003 (Reserve, Rest Sink FD REQ) T65100 (Debt Service Administration) to 1B08 (Atlantic Station TAD Fund) 792003 (Reserve, Rest Sink FD REQ) \*\*\*\*\* (Atlantic Station 2007 Refunding TAD Bonds); and for other purposes.

#### **FAVORABLE ON FIRST READ**

#### **TO AMEND ORDINANCE 07-O-1808**

- 07-O-2401 (2)      An Ordinance by Finance/Executive Committee Amending Ordinance 07-O-1808 which approved the FY2008 Capital Budget for the City of Atlanta's Capital Funds; and for other purposes.

#### **FAVORABLE ON FIRST READ**

#### **TO AUTHORIZE THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS**

- 07-O-2403 (3)      An Ordinance by Finance/Executive Committee Authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code, of the City of Atlanta Code of Ordinances, to authorize the Mayor to execute an Agreement with ING Financial Advisers, for FC-7339-01, Defined Contribution Plan, on behalf of the Department of Finance, in an amount not to exceed fifty thousand dollars and no cents (\$50,000.00); all expenses shall be Charged To and Paid From Fund Account and Center Number 1A01 (General Fund) 524009 (Financial Managers Consultants) J81701 (Pension Administration); and for other purposes.

#### **FAVORABLE ON FIRST READ**

#### **TO CORRECT THE CENTER NUMBERS IN ORDINANCE NUMBER 07-O-1654**

- 07-O-2406 (4)      An Ordinance by Finance/Executive Committee to correct the Center Numbers in Ordinance Number 07-O-1654 adopted by the Atlanta City Council on September 17, 2007 and approved by the Mayor on September 24, 2007; and for other purposes.

#### **FAVORABLE ON FIRST READ**

### **REGULAR AGENDA**

#### **TO AMEND THE FISCAL YEAR 2008 BUDGETS BY TRANSFERRING APPROPRIATIONS**

- 07-O-2198 (1)      A **Substitute** Ordinance by Finance/Executive Committee amending the Fiscal Year 2008 Budgets by Transferring

Appropriations to 2H53 783010 T\*\*\*\*\* (Airport FAC Revenue Bond Sinking Fund, Interest Due, Non-Departmental) and 2H53 782007 T\*\*\*\*\* (Airport FAC Revenue Bond Sinking Fund, Principal Due, Non-Departmental) from 2H26 791001 T11001 (Airport Passenger Facility Charge Fund, Reserve For Appropriation, Reservation of Fund Appropriations) in the amount of \$10,000,000 for the purpose of funding Debt Service Charges associated with Runway 10-28 (5<sup>th</sup> Runway) at the Hartsfield-Jackson Atlanta International Airport; and for other purposes. **(Finance/Executive Committee Substitute corrects the Anticipation and Appropriation, 11/19/07)**

#### **FAVORABLE ON SUBSTITUTE**

Chairperson Shook stated that we have a Substitute to correct the Anticipation and Appropriation. Councilmember Hall offered a motion to **Approve on Substitute, 6 Yeas.**

#### **TO PLACE ALL EMPLOYEES OF THE CITY OF ATLANTA ON A BI-WEEKLY PAY SCHEDULE**

07-O-2292 (2)

A **Substitute** Ordinance by Finance/Executive Committee to place all employees of the City of Atlanta on a bi-weekly pay schedule beginning December 13, 2007; and for other purposes. **(Finance/Executive Committee Substitute in Section 2 includes the bridge check and rennumbers Section 2 to Section 3, Finance/Executive Committee Amendment adopts the pay period and changes Section 3 to Section 4 that parts of Ordinances are hereby repealed, 5 Yeas, 1 Nay, 11/19/07)**

#### **FAVORABLE ON SUBSTITUTE AS AMENDED**

CFO Davis stated that we have a Substitute and an Amendment to the Substitute. We amended Section 2 to include the bridge check and are renumbering Section 2 to Section 3. We are including the reference to the bridge check. We are making reference and inserting it. We are removing the reference to the bridge check in the Whereas Clause. Councilmember Moore stated that there is an adopted pay schedule in the Code. CFO Davis responded that this paper amends that and shifts us to the new pay cycle.

**Mr. Jack Tilson:** Senior City Attorney addressed the Committee by stating that Ms. Simone Braithwaite, who is out of town, drafted the paper. Councilmember Moore asked if we adopt this paper we have to redo the Code. There is already a Code Section that did that. CFO Davis responded that in the revised Personnel Code there is a reference that states that City Hall employees will be paid according to the Code. Councilmember Moore stated that we need to clean up the Code. We need to delete

that Section of the Code. CFO Davis responded that the Internal Auditor is reviewing the Code and will make the adjustment.

**Mr. Chris Daniel:** addressed the Committee by stating that there is no need to have lengthy discussion regarding changing the pay schedule. Last week employees received a letter from the Deputy Commissioner threatening them not to attend this meeting. This threat came days after the legislation was introduced. We found out that there is no money to make this a bonus. Shame on this Administration for increasing raises for top level employees. We do not want a bridge loan. We cannot afford to change the pay schedule. If they are changed, we can't afford to pay it back.

**Ms. Nancy Lank:** of ASCME Local 1644 addressed the Committee by stating that we have been in discussion for months. We have heard a number of costs regarding changing the pay schedule. We don't know what the savings are to the City. ASCME Local 1644 wants to remain at the current schedule. This is a hardship during the Christmas Holidays. Some of the people only bring home \$250.00 a week. This is the time when people need extra money. Being in debt to your employer is not good business practice. We believe that this is in violation of Georgia Code Section 34-7-2. This yoyo affect has angered a lot of people. People were imitated from attending the meeting today. Oracle costs have doubled because of mistakes that were made.

**Mr. Tracy Thornhill:** addressed the Committee by stating that he is disappointed to have to fight to get a weekly paycheck. How do you expect us to pay our bills and prepare for Christmas? We were threatened that the bosses will do what they have to do if we attend this meeting. The garbage has to be picked up. People are falling on deaf ear when we are talking to you. Every employee will be affected. We are disappointed with this Administration because they have Bush's attitude. We don't have snow suits or jackets with lining in it anymore.

**Mr. Alfred Berry:** General Employees Pension Fund President addressed the Committee by stating that he has concerns with the 2007 payroll schedule. CFO Davis stated that the pay schedule is referenced in the Code, but not adopted by Council. Mr. Berry responded that we are now in pay period #23 and the last pay period will be 7 days. He believes that we will be shorted 3 days. Why are we doing this now? We should have

made the change in the 18 month budget. This is the holiday season and we are making these changes now. He then asked why can't we do it at the beginning of next year. We are concerned that we will be slighted. Please hold this legislation until the first of next year.

**Mr. Dave Walker:** addressed the Committee by stating that he is concerned with someone going to the workplace to threaten employees. ERP is to give more people more money. It is hiring people who are already employees and paying them separate pay checks for a job that they already do. He doesn't understand how the Chair of Finance can allow this. Since Mayor Franklin has been here, there have been more laws broken. The employees should bring the trucks here and park them. When he turned 62 years old he went to the Social Security Office and his case worker told him that he could come back when he is 65. This legislation is nothing but shenanigans. The Chairs of Community Development and Finance Committees push the Administration's agenda and should be replaced.

Continuing, Senior Assistant City Attorney Tilson stated that we have referenced the existing Code and it speaks to corporations. It requires that you pay employees at least twice a month. We are governed under Title 37 and the Georgia State Labor references the private sector. This is under Labor and Industrial Relation Section. The Municipal Corporation is not subjected to this Code. Councilmember Moore asked if there is anything in the Home Rule Act that applies to us. Is there any stipulations? Senior Assistant City Attorney Tilson responded that we can easily add an additional recital to the pay plan that states that all City of Atlanta Employees will be paid on the same pay period by check or direct deposit. We do not need to Amend or Repeal the Code. Councilmember Moore stated that it needs to be codified. CFO Davis responded that the Code says that City Council will adopt the pay period plan. This is the first time we are presenting something by Ordinance. Senior Assistant City Attorney Tilson responded that we can easily add another Whereas. CFO Davis added that it will read as follows: "Whereas, Section 114-135 provides for the adoption of pay period by Ordinance therefore be ordained".

**Ms. Leslie Ward:** addressed the Committee by stating that on November 5<sup>th</sup> her office prepared a memo that looked at the bonuses. It is a complex question. We took examples of actual pay checks and looked at the net pay. We found that for all cases at the high end there was an increase in pay. There was a 50% increase in pay for the low end employees. In Pay Group 2 there was a slight increase. For Pay Group 3 there is a pay check for seven days and the next check is five days earlier. The repayment does not have to be in cash, it can be for returning annual leave and it is to be paid over 18 pay periods. The City already does Sick Leave Bonuses as well. Councilmember Winslow asked when would they receive the bonuses? Ms. Ward responded that it is divided into two parts. The 3-day check and the \$200 Advance will be on December 21<sup>st</sup> and the \$400 Advance will be on December 28<sup>th</sup>. For some employees it is more pay than their paychecks. Chairperson Shook asked what are our options? CFO Davis responded that we would have to delay the go live date of the ERP system. It was not done with the 18-month budget because the Oracle system was not ready to go live. The need to do it at the end of the year is because of W-2's. Ms. Ward added that we looked at the Senior Solid Waste Operator, Solid Waste Route Supervisor and an Environmental Worker. We looked at people who were paid on the same day, but had different classes. Councilmember Martin asked that the Union come up to speak when there are discrepancies. Ms. Lank asked how can you give a weekly check for the Advance money. CFO Davis responded that it is being generated from PeopleSoft on a balance sheet. It is not associated with Oracle. There is no impact on expenditures.

**Mr. Chris Brown:** addressed the Committee by stating that he disagrees with the Law Department.

**Mr. Sababa Akili:** addressed the Committee by stating that we have discussed this at various points. The ERP concept came in the 1970's to deal with nuts and bolts. It caused problems then and more problems now with dealing with payroll and people. What is it going to save us? All we are getting is a promise. Oracle owns PeopleSoft so why would there be so many references. He doubts if it will cost over \$700,000. A lot of people don't understand this. When the go live date comes we will have the same concerns and we will be in chaos. People have already constructed their budget and life

style. Chairperson Shook stated that he wanted to give respect to ASCME and others. Councilmember Muller stated that it strikes her that we are just hearing about the payments of the bonus. Councilmember Maddox stated that he agrees with what is before us because he has not heard of any other proposal better than what is before us. Councilmember Moore stated that the employees have given several suggestions. Her proposal is to leave it as it is. Mr. Akili stated that he proposes doing the 52 weekly and 26 biweekly pay schedules. CFO Davis responded that if we adopt that we will suspend ERP until the adjustment is made. It would probably take seven to nine months to complete. Councilmember Winslow stated that the bonus paper should be for other workers as well, but there was a concern from the Administration in regards to Solid Waste Workers. Councilmember Moore stated that she would put that proposal forward for other employees. She then offered an Amendment to exclude pay group 2 in Section 1. CFO Davis stated that to exclude them delays the implementation of ERP. We will have to continue in the present system until you make a decision. The time will take 7 to 9 months. If we defer, we should do it for a year. She then offered an Amendment to **exclude Solid Waste Workers in Section 1, 2 Years, 4 Nays**. This whole thing is messy to come here and hear new information. It's serious when you talk about people's money. Her concern is that we have not had consistent information. She is not opposed to getting paid biweekly. She understands that change is not an easy thing to accept, but it is necessary. In order to make those changes is a very difficult thing. This is a policy decision. Councilmember Maddox stated that it seems painful to delay the process. This is not something that they just found out about. It is an individual thing on how you budget your money. Councilmember Martin stated that we spent over \$30 million dollars on Oracle. We spent many years on the IBM system and never got it right. Will delaying this for a year has to do with GASB 45? CFO Davis responded that it creates a problem for GASB 34 and the implementation of the State's Uniform Charter of Accounts, not GASB 45. Councilmember Martin asked if you couldn't delay it for six months. CFO Davis responded no, because of the integration. The Payroll/HR piece interacts with the Finance piece. Councilmember Martin stated that we already have problems with the IRS. What does the Substitute do? CFO Davis responded that the



Substitute clarifies the reason why we are doing it at this time, includes Section 114-135 and inserts the bridge payment. Councilmember Martin asked what is the cost of the \$600 loan? CFO Davis responded it will be \$240,000 and it has no cost to the City. Councilmember Martin asked about the raises for the top management. CFO Davis responded that the impact is \$32,000 across all funds. Only ten people will be impacted. Councilmember Martin stated that he hopes that people take that into consideration. Mr. Akili stated that he does not understand why one module can't be implemented. There should not be any tax issues. The same program should generate a check for the IRS. Mr. Brown added that there is no reason to cancel the Finance and Procurement portion. CFO Davis stated that every department head had to decide who will enter requisitions. It is how we ensure segregation of duties. Payroll is in the HR module. The Amendment to exclude Solid Waste Employees and continue with weekly payrolls, 4 Nays and 2 Yeas. Chairperson Shook stated that the Amendment **adopts the pay period and changes Section 3 to Section 4 that parts of Ordinances are hereby repealed, 5 Yeas, 1 Nay.** Councilmember Moore stated that there are other employees on the lower pay range as well. She found that the City has money to do what they choose to do. We are saying that we can't pay people a bonus. The information seems to be a moving target. She is concerned regarding the threats as well. It is shameful to keep people from exercising their rights to speak out. She will not support this paper. Councilmember Muller asked how long has the information been out. CFO Davis responded that the legislation was introduced September 7<sup>th</sup>. The other employees on the lower pay scale get paid biweekly. Ms. Ward added that we distributed the information at the Work Session. Councilmember Hall stated that although we wanted a sufficient approach, he will not support this paper. Councilmember Maddox offered a motion to **Approve on Substitute as Amendment, 4 Yeas, 2 Nays.**

**TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ENTER INTO AMENDMENT NO. 2**

07-O-2306 (3)

A **Substitute** Ordinance by Finance/Executive Committee authorizing the Mayor or her Designee to enter into Amendment No. 2 to extend the number of days for completion of the work under the expired Contract FC-3004007825, Custer Avenue CSO Storage and Dechlorination Facility Agreement, on behalf of the

Department of Watershed Management; to waive Article IX of the Real Estate and Procurement Code; and for other purposes. **(Finance/Executive Committee Substitute changes the Procurement Code reference from 9 to 10 and enters the amount, 11/19/07)**

**FAVORABLE ON SUBSTITUTE**

**Mr. George Barnes:** Deputy Commissioner of the Department of Watershed addressed the Committee by stating that the Substitute changes the Procurement Code reference from 9 to 10 and enters the amount. This is for our Consent Decree Program and we met the deadline. When we cleaned the tunnel we found that there was more to clean than anticipated. It is an Amendment to the contract. Councilmember Maddox offered a motion to **Approve on Substitute, 5 Yeas.**

**TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO AMEND THE 2008 WATER AND WASTEWATER BUDGET**

07-O-2314 (4) A **Substitute** Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to amend the 2008 Water and Wastewater Budget, on behalf of the Department of Watershed Management, in the amount not to exceed of five hundred thousand dollars and no cents (\$500,000.00) by Transferring Funds from 2J25 (1997 Water & Wastewater Bond Fund) 791001 (Reserve For Appropriations) T11001 (Reserve of Fund Appropriations) to 2J25 (1997 Water & Wastewater Bond Fund) 729023 (Arbitrage Rebate) T31001 (Unallocated Fund Wide Expenses), to pay 2007 Arbitrage Rebate due on 2J25 (1997 Water & Wastewater Bond Fund); and for other purposes. **(Finance/Executive Committee Substitute add the not to exceed amount, 11/19/07)**

**FAVORABLE ON SUBSTITUTE**

Chairperson Shook stated that we have a Substitute. CFO Davis responded that this is a simple transfer to make the Arbitrage payments. The Substitute adds the not to exceed amount. Councilmember Winslow offered a motion to **Approve on Substitute, 5 Yeas, 1 Abstention.**

**TO AMEND CHAPTER 114, PERSONNEL, ARTICLE "IV", CLASSIFICATION PLAN AND PAY PLAN OF THE CODE OF ORDINANCES, CITY OF ATLANTA, GEORGIA**

07-O-2410 (5) An Ordinance by Councilmembers Howard Shook and Kwanza Hall to Amend Chapter 114, Personnel, Article "IV", Classification Plan and Pay Plan of the Code of Ordinances, City of Atlanta, Georgia, so as to implement a new pay structure for pay grade 43 through pay grade 50 and the Executive pay structure, Grade Amend and Salary Adjust positions in support of the Fiscal Year 2007/2008 Budget, and for other purposes.

**FORWARD WITH NO RECOMMENDATION**

Councilmember Moore asked if we could Hold this paper.

**Ms. Benita Ransom:** Commissioner of the Department of Human Resources addressed the Committee by stating that we are converting from PeopleSoft to Oracle and we need to freeze all activities by December 5<sup>th</sup>. She then asked that this legislation be acted on today. Councilmember Moore asked how much money would the increases cost? Commissioner Ransom responded it will be \$32,200. Only \$10,000 will come out the General Fund, \$20,000 from Enterprise Funds and \$2,200 from Grants Funds. We are going to assign the incumbents with the salaries. Councilmember Moore stated that there is nothing to conclude the range. Commissioner Ransom responded that we need to implement the structure. Councilmember Maddox stated that he wanted to hear the presentation. Councilmember Winslow agreed that it is helpful to go through it. Commissioner Ransom responded everything else was in the budget except for the \$32,000. Chairperson Shook asked what are the consequences of Hold this paper? CFO Davis responded that consequences are that we will go into the new system without the appropriate positions. If it is not approved and implemented in PeopleSoft, we will have to do a double conversion. Approval of this paper will move forward the salaries appropriately. Chairperson Shook asked if there would be two W-2's? CFO Davis responded that it would have to be done twice. Councilmember Maddox stated that he wants to address the matter now. Chairperson Shook stated that we can Move It Forward With No Recommendation. Councilmember Moore stated that she will vote no to that. CFO Davis responded that we could wait two weeks for Code reasons, but not for the ERP reasons. It would be double work and overtime for employees. The nature of the work is to do it in PeopleSoft and do new TADS in Oracle. Chairperson Shook stated that we should go through it. He wants to send it forward. Councilmember Hall offered a Substitute motion to take funds from the City Councilmembers Budget for a City Council Director. Councilmember Maddox stated that Council has not abolished the position. CFO Davis responded that if you use 100% of the salary savings, you are abolishing that position and you would increase the Budget. Councilmember Moore stated that we are reviewing all of the positions.

Chairperson Shook offered a motion to **Move It Forward With No Recommendation, 5 Yeas, 1 Nay.**

**A FIFTH SUPPLEMENTAL BOND ORDINANCE TO RATIFY, REAFFIRM, AND SUPPLEMENT THAT CERTAIN MASTER BOND ORDINANCE**

07-O-2421 (6) An Ordinance by Councilmember Howard Shook a Fifth Supplemental Bond Ordinance to ratify, reaffirm, and supplement that certain Master Bond Ordinance adopted on March 31, 1999, as supplemented and amended by that certain First Supplemental Bond Ordinance adopted on March 5, 2001, that certain Series 2001 Bond Ordinance adopted on December 5, 2001, and that certain Series 2004 Bond Ordinance adopted on August 16, 2004, as supplemented by that certain Supplemental Series 2004 Bond Ordinance adopted on September 15, 2004; and for other related purposes.

**FAVORABLE**

**Ms. Diane Harnell-Cohen:** Commissioner of the Department of Parks, Recreation and Cultural Affairs addressed the Committee by stating that this is the Master Plan for Piedmont Park. The easement is for parks to operate on this property owned by the Department of Watershed Management. This is the underdeveloped property. Councilmember Moore asked what affect does it have on the Bonds?

**Mr. Earl Taylor:** of Kilpatrick and Stockton addressed the Committee by stating that this is converting the property. The declaration of the easement is so that park use does not interfere with the watershed use. He does not anticipate any problems. We are still reserving the rights for location of the ball fields. Councilmember Winslow offered a motion to **Approve, 6 Yeas.**

**TO PROVIDE A STIPEND TO MEMBERS OF THE COMMISSION ON AGING FOR ATTENDING MEETINGS**

07-O-2422 (7) An Ordinance by Councilmember Jim Maddox to provide a stipend to members of the Commission on Aging for attending meetings; and for other purposes.

**FILE**

Councilmember Maddox stated that we ask the seniors to come here and be a part of this Commission and we should in some way compensate them. This is only a stipend to cover the amount for them coming down. Councilmember Moore offered a motion to **File, 3 Yeas, 2 Nays.** We set a dangerous precedence to stipend certain Boards. We are not setting stipends to all Boards. She does not know where the money will come from. Chairperson Shook asked if this is legal. Councilmember Moore assumed that

we can decide to give to anyone we choose to. It is not a legal issue, but a policy issue.

Councilmember Maddox asked that we Hold the paper.

**Mr. Carey Duncan:** addressed the Committee by stating that he is 68 years old and should be added to the list. He opposes to the stipend because we are not doing it for the money.

**TO AUTHORIZE THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS**

07-O-2430 (8) An Ordinance by Councilmember Carla Smith **as Substituted by Finance/Executive Committee (1), 11/19/07** Authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code, of the City of Atlanta Code of Ordinances, to authorize the Chief Financial Officer to pay all outstanding invoices for Synagro South, LLC, on behalf of the Department of Watershed Management, for Emergency Sludge Hauling, Removal Services & Belt Presses for the Bureau of Wastewater Treatment and Collection Water Reclamation Centers, in an amount not to exceed four million five hundred nineteen thousand two hundred five dollars and thirty two cents (\$4,519,205.32); all contracted work to be Charged To and Paid From Fund, Account and Center Numbers: 2J01 (Water & Wastewater Revenue Fund) 523001 (Service/Repair/Maintenance Contract) Q32001 (Treatment Plant – R.M. Clayton) (\$2,577,383.76) and 2J01 (Water & Wastewater Revenue Fund) 523001 (Service/ Repair/Maintenance Contract) Q35001 (Treatment Plant – South River) (\$734,187.56); 2J01 (Water & Wastewater Revenue Fund) 523001 (Service/Repair/Maintenance Contract) Q33001 (Treatment Plant – Utoy Creek) (\$1,107,634.00); and 2J01 (Water & Wastewater Revenue Fund) 523001 (Service/Repair/Maintenance Contract) Q36001 (Treatment Plant – Intrenchment Creek) (\$100,000.00); and for other purposes. **(Finance/Executive Committee Substitute corrects the Fund, Account and Center Number, 11/19/07)**

**FAVORABLE ON SUBSTITUTE**

Mr. Barnes stated that the Substitute corrects the Fund, Account and Center Number and the cost should be about \$2.5 million dollars. Chairperson Shook offered a motion to **Approve on Substitute, 6 Yeas.**

**TO AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH SIEMENS AIRFIELD SOLUTIONS, INC.**

07-R-2390 (1) A Resolution by Finance/Executive Committee Authorizing the Mayor to execute an Agreement with Siemens Airfield Solutions, Inc., pursuant to City Code Section 2-119.1, Special Procurements, for an initial term of three years, with two one year renewals for the operation and maintenance of the Airfield Lighting Control and Monitoring System and Surface Movement Guidance Control System Airfield Vault Operating System at Hartsfield-Jackson Atlanta International Airport, in an amount not to exceed \$595,177, all contracted work shall be Charged To

and Paid From Fund, Account and Center Number 2H21 (Airport Renewal and Extension Fund) 574001 (FAC. Other Than Buildings) R21E60979999 (Building Maintenance – P&D); and for other purposes.

**FAVORABLE**

Councilmember Maddox offered a motion to **Approve, 6 Yeas.**

**TO AUTHORIZE THE MAYOR OF THE CITY OF ATLANTA TO EXECUTE A QUITCLAIM DEED**

07-R-2391 (2) A Resolution by Finance/Executive Committee Authorizing the Mayor of the City of Atlanta to execute a Quitclaim Deed to the Enclave of Kirkwood, LLC; and for other purposes.

**HELD**

**TO URGE THE 2008 GEORGIA GENERAL ASSEMBLY TO SUPPORT THE CITY OF ATLANTA'S 2008 LEGISLATIVE PACKAGE**

07-R-2392 (3) A **Substitute** Resolution by Finance/Executive Committee urging the 2008 Georgia General Assembly to support the City of Atlanta's 2008 Legislative Package; and for other purposes.

**HELD AND SUBSTITUTED**

Chairperson Shook stated that we have a Substitute.

**Ms. Megan Middleton:** Mayor's Office Intergovernmental Affairs Manager addressed the Committee by stating that we have added some new items. Councilmember Winslow stated that about ten years ago Council approved \$1 million dollars for the development of the Multi Modal Project. Is the money still there? Ms. Middleton responded that she would follow up on it. Councilmember Maddox asked where is the legislation regarding para mutual betting. Ms. Middleton responded that it is a 2007 carry over. Chairperson Shook asked about item 2-F. Was it a Statewide Referendum that failed?

**Ms. Tim Hardy:** addressed the Committee by stating that there are general records for property ownership that can be tracked. Chairperson Shook asked what will make this one a way to get a hold of people. Councilmember Norwood stated that this is for people who have addresses versus P.O. Boxes. Councilmember Fauver stated that she opposed this paper regarding rental property. She believes that all the information is already available through property taxes. How do we enforce it? Chairperson Shook asked if this reflects any dialogue with the Atlanta Apartments Association. Mr. Hardy responded that there was no dialogue. A lot of time the Courthouse information is not current. Councilmember Moore stated that there will be an impact and perceived

conflict. He cautioned Councilmember with rental property to accuse themselves from voting on this. Councilmember Winslow asked if there is a conflict of interest. Senior Assistant City Attorney Tilson responded that it can be perceived as a conflict of interest. Councilmember Moore stated that we need to ask Ms. Looney, Ethic Officer. Councilmember Winslow stated that we don't want to help one group and hurt another one. Councilmember Norwood stated that we are trying to have a live person to identify properties. Councilmember Winslow stated that sometimes there are Corporations. Senior Assistant City Attorney Tilson responded that a LLC has its own identify. Councilmember Winslow stated that a lot of them you can't find. Councilmember Sheperd stated that rental property has become a thing of registration. Our issues and ongoing problems are with vacant and rental properties. Chairperson Shook stated that he hears a lot of openness of changing some things. He personally does not want to move forward with this. Councilmember Sheperd stated that she wants to make sure that it goes over to the State. Councilmember Maddox stated that we need to Hold this item because he needs more information. Councilmember Sheperd stated that the problem is with mortgage flipping, etc. When we go to Fulton County, there is no accountability. There is no way to find out who the owner is. Even with a lien, it is still vacant. We want to register who is accountable. Councilmember Moore stated that if we vote for it today it will be apart of the Legislative Package. She is concerned with the discussion of whether or not some of them being Councilmembers as landlords.

**Ms. Jenny Looney:** Ethic Chief Officer addressed the Committee by stating that Section 2813 states that no City Official should know the potential hazard financial information shall not vote for or against. A Councilmember who owns rental property will be affected by the legislation. Her advice is to not vote. Councilmember Winslow stated that we are talking about taking this piece out so we can vote on the other legislations. Mr. Hardy responded that it will be for the owners of residential rental and vacant property. The Substitute states that the registration would be the owner of residential or vacant properties. Councilmember Norwood added that we are looking for the ownership. This paper is saying that it is the owners of the property. Chairperson

Shook stated that there will be plenty of time for these kinds of discussions.

Councilmember Muller offered a Substitute motion to **Hold and Substitute, 6 Yeas.**

**TO AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO UTILIZE THE STATE OF GEORGIA CONTRACT S-000546-043**

07-R-2393 (4) A Resolution by Finance/Executive Committee Authorizing the Chief Procurement Officer to utilize the State of Georgia Contract S-000546-043 with Cisco Systems, Inc. for the purchase of nine (9) Cisco Catalyst 3560 switches, including SFP MM and SM GBICS on behalf of the Department of Aviation in an amount not to exceed \$59,062.50. All contracted shall be Charged To and Paid From Fund Account and Center 2H21 (Airport Renewal and Extension Fund) 521105 (Supplies, Non-Consumable) R12006 (Office of Information Systems); and for other purposes.

**FAVORABLE**

**Mr. Mario Diaz:** of the Department of Aviation addressed the Committee by stating that this paper gives authorization for equipment at the Airport. Councilmember Muller offered a motion to **Approve, 5 Yeas.**

**TO AUTHORIZE THE MAYOR TO EXECUTE CHANGE ORDER NO. 2 WITH DYNALECTRIC COMPANY, FOR FC-3006007946**

07-R-2394 (5) A Resolution by Finance/Executive Committee Authorizing the Mayor to execute Change Order No. 2 with Dynalectric Company, for FC-3006007946, Airline Employee Parking Relocation-Phase 1, on behalf of the Department of Aviation, in an amount not to exceed four hundred thousand dollars and no cents (\$400,000.00); all contracted work will be Charged To and Paid From Fund, Account and Center Number 2H21 (Airport Renewal & Extension Fund) 574001 (Facilities Other Than Buildings) R21E60969999 (Planning and Development); and for other purposes.

**FAVORABLE**

Mr. Diaz stated that every parking space at the Airport is filled. This causes passengers to park on the parkway to wait on a parking space. We have put in a temporary collection booth. Councilmember Winslow offered a motion to **Approve, 5 Yeas.**

**TO AUTHORIZE THE MAYOR TO ACCEPT THE NAME CHANGE OF BELLSOUTH CORPORATION TO AT&T**

07-R-2395 (6) A Resolution by Finance/Executive Committee Authorizing the Mayor to accept the name change of Bellsouth Corporation to AT&T, Inc., for the Equipment and Maintenance Service Agreement, on behalf of the Department of Information Technology; and for other purposes.

**FAVORABLE**

Councilmember Winslow offered a motion to **Approve, 6 Yeas.**



**TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT**

07-R-2396 (7) A **Amended** Resolution by Finance/Executive Committee Authorizing the Mayor or her Designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et. Seq. of the City of Atlanta Code of Ordinances, utilizing GSA Contract #GS-35F-0249R with Accela, Inc. for the purchase of Professional Services and Software Modules to upgrade from Kiva to Accela Automation, on behalf of the Department of Planning and Community Development, in an amount not to exceed one million three hundred fifty nine thousand three hundred ninety six dollars and no cents (\$1,359,396.00); all contracted work shall be Charged To and Paid From Fund Account and Center Number 1A01 (General Fund) 523001 (Service/Repair/Maintenance Cont.) Y21001 (Director of Buildings); and for other purposes. **(Finance/Executive Committee Amendment corrects the clerical errors in the Second Whereas, 11/19/07)**

**FAVORABLE AS AMENDED**

**Mr. Bosun Awoyemi:** Director of Bureau of Buildings addressed the Committee by stating that this is for the Code Inspectors. It is also a sole source contract. Councilmember Moore asked if they have GPS capability. It is extremely important to track where the equipment is and the people operating it. Chairperson Shook stated that we need to correct the clerical errors in the Second Whereas. Councilmember Hall offered a motion to **Approve as Amended, 6 Yeas.**

**TO AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO UTILIZE THE STATE OF GEORGIA CONTRACT SWC070766**

07-R-2397 (8) A **Substitute** Resolution by Finance/Executive Committee Authorizing the Chief Procurement Officer to utilize the State of Georgia Contract SWC070766 with Hewlett Packard for the purchase of a backup solution on behalf of the Department of Aviation in an amount not to exceed \$22,545.00. All contracted work will be Charged To and Paid From Fund Account and Center Number 2H01 (Airport Revenue Fund), 524001 (Consultant/Professional Services), R12006 (Office of Information Systems); and for other purposes. **(Finance/Executive Committee Substitute in the last sentence between amount and not to exceed, 11/19/07)**

**FAVORABLE ON SUBSTITUTE**

Mr. Diaz stated that this is for the security backup system. The Substitute is in last sentence between amount and not to exceed. Councilmember Maddox offered a motion to **Approve on Substitute, 6 Yeas.**

**TO AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO UTILIZE THE STATE OF GEORGIA CONTRACT NUMBER SWC070766**

07-R-2398 (9) A Resolution by Finance/Executive Committee Authorizing the Chief Procurement Officer to utilize the State of Georgia Contract Number SWC070766 with Dell Marketing, L.P. to purchase four (4) tape drives, five (5) connectors and related accessories for the Department of Aviation to be used to backup pertinent information stored on the DOA Network for the purpose of data restoration and disaster recovery on behalf of the Department of Aviation in an amount not to exceed \$72,986.96. All contracted work shall be Charged To and Paid From Fund, Account and Center Number 2H21 (Airport Renewal and Extension Fund) 521105 (Supplies, Non-Consumable) R12006 (Office of Information Systems); and for other purposes.

**FAVORABLE**

Mr. Diaz stated that this is for the larger area in the Airport in order to backup data.

Councilmember Winslow offered a motion to **Approve, 6 Yeas.**

**TO AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO UTILIZE THE STATE OF GEORGIA CONTRACT GTA000187-002 WITH AT&T**

07-R-2399 (10) A Resolution by Finance/Executive Committee Authorizing the Chief Procurement Officer to utilize the State of Georgia Contract GTA000187-002 with AT&T, Inc. to purchase AT&T devices and supplies in order to provide additional wireless communications services, products and integration solutions on behalf of the Department of Watershed Management in an amount not to exceed eighty thousand dollars and no cents (\$80,000.00); all contracted work shall be Charged To and Paid From Fund Account and Center Number 2J01 (Water & Wastewater Revenue Fund), 523001 (Service/ Repair/Maintenance Contract), Q83001 (Industrial Wastewater Monitoring); and for other purposes.

**FAVORABLE**

**Ms. Sally Mills:** addressed the Committee by stating that this is service contract to monitor wastewater flow. **Approve, 6 Yeas.**

**TO AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO UTILIZE THE STATE OF GEORGIA CONTRACT NUMBER GS35F-0782J**

07-R-2400 (11) A Resolution by Finance/Executive Committee Authorizing the Chief Procurement Officer to utilize the State of Georgia Contract Number GS35F-0782J with Combyte USA, Inc. for the purchase of a Fluke Optiview™ Series III Wireless Network Analyzer on behalf of the Department of Aviation in an amount not to exceed \$21,625.39. All equipment shall be Charged To and Paid From Fund Account and Center 2H21 (Airport Renewal and Extension Fund) 575001 (Equipment) R12006 (Office of Information Systems); and for other purposes.

**FAVORABLE**

Mr. Diaz stated that this allows for wireless identification. Councilmember Winslow offered a motion to **Approve, 6 Yeas.**

**TO SUPPORT REBATES FOR RETROFITS FOR LOW-FLOW TOILETS**

07-R-2431 (12) A Resolution by Councilmembers Kwanza Hall, Ivory Lee Young, Jr., Clair Muller, Jim Maddox, Joyce M. Sheperd, H. Lamar Willis, Cleta Winslow, Ceasar C. Mitchell, Carla Smith and Mary Norwood to support rebates for Retrofits for Low-Flow Toilets; and for other purposes.

**HELD**

**TO REQUEST THE 2008 GEORGIA GENERAL ASSEMBLY TO SUPPORT THE REQUIREMENT OF STATEWIDE RETROFITTING AND REPLACEMENT OF PLUMBING FIXTURES**

07-R-2432 (13) A Resolution by Councilmembers Kwanza Hall, Ivory Lee Young, Jr., Clair Muller, Jim Maddox, Joyce M. Sheperd, H. Lamar Willis, Felicia A. Moore Cleta Winslow, Ceasar C. Mitchell, Carla Smith and Mary Norwood to request the 2008 Georgia General Assembly to support the requirement of Statewide Retrofitting and Replacement of Plumbing Fixtures with Low-Flow Plumbing Fixtures in accordance with Water Efficiency Guidelines as recommended by the Environmental Protection Agency upon the resale of certain properties; and for other purposes.

**HELD**

**TO AUTHORIZE THE MAYOR TO EXECUTE A MASTER AGREEMENT WITH TDC SYSTEMS INTEGRATION, INC.**

06-R-1667 (1) An **Amended** Resolution by Finance/Executive Committee Authorizing the Mayor to execute a Master Agreement with TDC Systems Integration, Inc. for FC-6006007881, Citywide On-Call Services for Information Technology Staffing; authorizing the Chief Information Officer of the Department of Information Technology, the Director of Information Technology of the Department of Watershed Management and the Aviation Information Systems Director of the Department of Aviation to execute all statements of work; all contracted work shall be Charged To and Paid From Various Fund, Account and Center Numbers; and for other purposes. **(Amended and Held, 8/16/06 at the request of the Committee to allow time pending additional review)**

**HELD**

**TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS THE SANDTOWN COMMUNITY**

06-O-1924 (2) An Ordinance by Councilmembers Howard Shook, Jim Maddox, H. Lamar Willis and Ceasar C. Mitchell to provide for the Annexation of Land known as the Sandtown Community to the Corporate Limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Referred back by Full Council, 12/04/06); (Held, 12/13/06 until such time that the community sponsor**

**requests that the annexation application be withdrawn, it expires or the annexation process is restarted)**

**HELD**

**TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS CASCADE GLENN**

06-O-1926 (3) An Ordinance by Councilmembers Howard Shook, Jim Maddox, H. Lamar Willis and Ceasar C. Mitchell to provide for the Annexation of Land known as Cascade Glenn to the Corporate Limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Referred back by Full Council, 12/04/06); (Held, 12/13/06 until such time that the community sponsor requests that the annexation application be withdrawn, it expires or the annexation process is restarted)**

**HELD**

**TO PROVIDE FOR THE ANNEXATION OF LAND TO THE CORPORATE LIMITS OF THE CITY OF ATLANTA, GEORGIA**

06-O-2250 (4) An Ordinance by Councilmembers Jim Maddox, H. Lamar Willis and Ceasar C. Mitchell to provide for the Annexation of Land to the Corporate Limits of the City of Atlanta, Georgia; to provide for the notification of the Department of Community Affairs of the State of Georgia of such Annexation; and for other purposes. **(Held, 10/11/06 at the request of the Law Department)**

**HELD**

**TO AMEND THE PROCUREMENT CODE OF THE CITY OF ATLANTA, GEORGIA BY ADDING TO SECTION 2-1142**

07-O-0138 (5) An Ordinance by Councilmember Ceasar C. Mitchell to Amend the Procurement Code of the City of Atlanta, Georgia by Adding to Section 2-1142; monthly report to City Council; and for other purposes. **(Held, 1/31/07 at the request of the Department of Procurement for an additional study)**

**HELD**

**TO AUTHORIZE THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS**

07-O-0622 (6) An Ordinance by Councilmembers Anne Fauver and Carla Smith Authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code of the City of Atlanta Code of Ordinances to maximize efficiency in purchasing systems furniture for several City of Atlanta Capital Projects; and for other purposes. **(Held, 3/28/07 pending a Substitute to include other Projects)**

**HELD**

**TO PROVIDE FOR THE ANNEXATION OF 4605 BIRDIE LANE, SW, ATLANTA, GEORGIA, 30331**

07-O-0623 (7) An Ordinance by Councilmember Jim Maddox to provide for the Annexation of 4605 Birdie Lane, SW, Atlanta, Georgia, 30331,

0.404 acres of land located in Land Lot 61 of the 14<sup>th</sup> District of Fulton County to the corporate limits of the City of Atlanta, Georgia; to provide for the notification of the Department of Community Affairs of the State of Georgia of such Annexation; and for other purposes. **(Held, 3/28/07 to ensure annexation procedures are executed appropriately)**

**HELD**

**TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS CASCADE FALLS SUBDIVISION**

07-O-0624 (8) An Ordinance by Councilmember James Maddox to provide for the Annexation of land known as Cascade Falls Subdivision to the Corporate Limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Held, 3/28/07 pending review to determine additional properties contiguous to the City are identified and included in the annexation)**

**HELD**

**TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS THE ORKNEY/LANARK DRIVE COMMUNITY**

07-O-0968 (9) An Ordinance by Councilmember Jim Maddox to provide for the Annexation of land known as the Orkney/Lanark Drive Community to the Corporate Limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Held, 5/16/07 due to State requirement)**

**HELD**

**TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS THE HUNTINGTON COMMUNITY (POMPEY DRIVE/OLD FAIRBURN ROAD)**

07-O-0969 (10) An Ordinance by Councilmember Jim Maddox to provide for the Annexation of land known as the Huntington Community (Pompey Drive/Old Fairburn Road) to the corporate limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Held, 5/16/07 due to State requirement)**

**HELD**

**TO AMEND ARTICLE V. CLASSIFICATION PLAN, OF THE CODE OF ORDINANCES, CITY OF ATLANTA, GEORGIA**

07-O-0974 (11) An Ordinance by Councilmember C.T. Martin **as Substituted by Finance/Executive Committee** to Amend Article V. Classification Plan, of the Code of Ordinances, City of Atlanta, Georgia, so as to create (215) positions in the Atlanta Police Department; and for other purposes. **(Substituted and Held, 5/16/07 in conjunction with consideration of 2008 Budget)**

**HELD**

**TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT**

- 07-R-1086 (12) A Resolution by Finance/Executive Committee Authorizing the Mayor or her Designee to enter into a Cooperative Purchasing Agreement pursuant to Chapter 2, Article X, Division 15, Section 2-1601 et. Seq. of the City of Atlanta Code of Ordinances, utilizing State of Georgia Contract #SWC50755 with Bank of America, N.A., on behalf of the Department of Finance, for the use of Bank of America Visa purchasing cards and associated services; and for other purposes. **(Held, 5/30/07 pending receipt of documentation that the recommendations from the Credit Card Audit are met)**

**HELD**

**TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ALLOW THE CITY TO IMPOSE A VERIFICATION/CONVENIENCE FEE**

- 07-O-1087 (13) A **Substitute** Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to allow the City to impose a verification/convenience fee in the amount of \$4.50 on credit cards users, on-line payment users, electronic check users, or interactive voice response users submitting payments for fees and/or fines imposed by the City of Atlanta such as those associated with traffic enforcement and Water and Wastewater City Services; to recover the cost the City pays to third-party vendors to process such payments; all collected funds will be deposited into various Fund, Account and Center Numbers; and for other purposes.**(Referred back to Finance/Executive Committee by Council, August 20, 2007); (Held, 8/29/07)**

**HELD**

**TO ENCOURAGE MEMBERS OF THE UNITED STATES CONGRESS TO SUPPORT THE EMPLOYEE FREE CHOICE ACT**

- 07-R-1904 (14) A Resolution by Councilmember Joyce M. Sheperd that encourages Members of the United States Congress to support the Employee Free Choice Act which authorizes the National Labor Relations Board to certify a union as the bargaining representative when a majority of employees voluntarily sign authorizations designating that union to represent them. **(Held, 9/12/07 at the request of the Committee to discuss with the Author)**

**HELD**

**TO AUTHORIZE A ONE-TIME BONUS PAYMENT OF \$100.00 (ONE HUNDRED DOLLARS) TO REGULAR EMPLOYEES PAID FROM FAC 1A01 511001 M3XXXX**

- 07-O-1936 (15) A **Substitute** Ordinance by Finance/Executive Committee to authorize a one-time bonus payment of \$100.00 (one hundred dollars) to regular employees paid from FAC 1A01 511001 M3XXXX location Code 11D in the Department of Public Works, Solid Waste Services, and to authorize an advance wage payment of \$600.00 (six hundred dollars) to regular employees paid from FAC 1A01 511001 M3XXXX location Code 11D in the Department of Public Works, Solid Waste Services who elect to receive the advance wage payment; and for other purposes. **(Held and**

**Planned for information sharing sessions, 9/26/07); (Finance/Executive Committee Substitute provides more information in the Whereas Clause, 11/19/07); (Finance/Executive Committee Amendment Amends Section 2 to say instead of the City of Atlanta will offer in lieu of the City of Atlanta will provide regular benefits eligible employees paid from 1A01 51105 M3XXXX, in option of electing to receiving advance wages in the amount of \$600.00 subject to taxation, Section 3 will remain the same, Section 4 existing language will be deleted and say the advance will be recovered in equal installments beginning January 18, 2008 pay date, Section 5 will be deleted and replaced with “the effected workers will receive a one time salary increase equal to \$600.00”, leave in Section 6 and Section 7, 11/19/07)**

**FAVORABLE ON SUBSTITUTE AS AMENDED**

Chairperson Shook stated that we have a Substitute. CFO Davis responded that the Substitute provides more information in the Whereas Clause.

Councilmember Martin asked why are we loaning the money instead of doing a bonus. Even if there are concerns why has it not been changed, the ERP and Oracle programs across the Country have lawsuits. There is another way to do it and he suggests that it be done another way. He hopes that this Committee is not so heartless to pass this without discussion. Councilmember Moore asked why can't we give a one total increase. CFO Davis responded that it will be viewed as a policy decision to go beyond the \$100. The ruling from the Law Department to give \$100 could be viewed as a dominium additional compensation for inconvenience. Councilmember Moore stated that we can set the policy. Senior Assistant City Attorney Tilson responded that the legislation gives compensation for actual work. The labor standards are in this legislation that states that we can give \$100 as extra compensation for work. Councilmember Moore asked what is the difference between \$100 and any other amount? Senior Assistant City Attorney Tilson responded that it is a one time additional compensation. Councilmember Moore asked what is the difference of changing it from \$100 to \$700? Senior Assistant City Attorney Tilson responded that we are limited to \$100 from the labor laws. Councilmember Moore asked that if we choose to increase the salary level, can we do that. Senior Assistant City Attorney Tilson responded that the requirement is a-one time compensation. Councilmember Moore asked if the \$100 is in violation of the law. She has the option of amending the pay scale. Are there any other employees paid like these? CFO Davis responded that

these are the only people paid on a weekly basis. The Substitute also states when the funds will be recaptured. Councilmember Maddox asked if we did increase the individuals pay to equal out to \$700 increase, how much will it be? CFO Davis responded that we estimated it to be \$208,200. Councilmember Maddox asked if we did the increase in pay, would it not be a loan. CFO Davis responded that it would be a pay increase. She stated that Councilmember Moore wants it paid on the same scheduled date and wants it put on the pay scale salary. Councilmember Moore asked if it could be paid out on December 21<sup>st</sup> and December 28<sup>th</sup>. CFO Davis responded that with advancing it, there would be no problem. Councilmember Moore asked if we can advance it then forgive it. CFO Davis responded that the best way to do it is to advance it and give them a pay increase to recoup it. Councilmember Maddox stated that is what he was trying to get at. CFO Davis responded that we would advance them the money in 2007. In 2008, there would be \$600 to recover it. It would be a dollar for dollar offset. Senior Assistant City Attorney Tilson responded that he is concerned with the tax implication and we have to make sure that we pay people for the hours that they work. CFO Davis responded that the advance and the recovery will be taxed. Councilmember Moore offered the Amendment Amends Section 2 to say instead of the City of Atlanta will offer in lieu of the City of Atlanta will provide regular benefits eligible employees paid from 1A01 51105 M3XXXX, in option of electing to receiving advance wages in the amount of \$600.00 subject to taxation, Section 3 will remain the same, Section 4 existing language will be deleted and say the advance will be recovered in equal installments beginning January 18, 2008 pay date, Section 5 will be deleted and replaced with "the effected workers will receive a one time salary increase equal to \$600.00", leave in Section 6 and Section 7, **5 Yeas, 1 Nay**. Councilmember Fauver stated that she is concerned with the salary level. Some other employees are making less than Solid Waste employees. We are doing something for one class and not the other. Councilmember Maddox offered a motion to **Approve on Substitute as Amended, 5 Yeas, 1 Nay**. CFO Davis responded that she wants Law to see if there is a problem. Senior Assistant City Attorney Tilson responded that our concern is with the cash flow issue. Councilmember Moore offered an Amendment to reconsider the paper



if there are other suggestions or problems with the other classifications. She does not want to throw anything out of balance to make sure that anyone that needs to be included be so. Councilmember Winslow stated that we are moving away from what the paper is doing. CFO Davis responded that the decision was made because we were moving the pay cycle. Councilmember Moore stated that we need to find out now what the problem is.

**Ms. Benita Ransom:** Commissioner of the Department of Human Resources addressed the Committee by stating that there is no problem with doing that.

**TO SUPPORT H.R. 2447 TO ESTABLISH AN ENERGY AND ENVIRONMENT BLOCK GRANT PROGRAM**

07-R-2138 (16)      A Resolution by Councilmember Ceasar C. Mitchell to support H.R. 2447 to establish an Energy and Environment Block Grant Program that is presently before the United States Congress; and for other purposes. **(Held, 10/10/07)**

**HELD**

**TO ENDORSE HR 3535 HOMEBUYER'S PROTECTION ACT OF 2007**

07-R-2139 (17)      A Resolution by Councilmember Ceasar C. Mitchell to endorse HR 3535 Homebuyer's Protection Act of 2007 pending in the United States Congress; to urge the Georgia Congressional Delegation to support the Act; and for other purposes. **(Held, 10/10/07)**

**HELD**

**TO AMEND THE CODE OF ORDINANCES IN ORDER TO PROVIDE THE ELIGIBILITY REQUIREMENTS**

07-O-2148 (18)      An Ordinance by Finance/Executive Committee to amend the Code of Ordinances in order to provide the eligibility requirements for purchase of prior service credit by former members of the Fulton County Fire Department who transfer to the City of Atlanta Fire Department. **(Held for receipt of actuarial report, 10/31/07)**

**HELD**

**ITEMS NOT ON AGENDA**

**ADJOURNMENT**

Having no further business before the Committee, the meeting was adjourned at 2:45 p.m.

Respectfully submitted,

Janice D. Davis, CFO

Charlene Parker  
Recording Secretary

***“The Department of Finance... because customer service is important to us.”***